

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 2, 1980

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, January 2, 1980 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - Hughes (arrived 8:02 p.m.), Katnich, McCarty, Pinkerton, and Katzakian (Mayor)</p> <p>Absent: Councilmen - None</p> <p>Also Present: City Manager Glaves, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche</p>
INVOCATION	The invocation was given by Dr. Wayne Kildall, Director, Center of Hope.
PLEDGE	Mayor Katzakian led the Pledge of Allegiance to the flag.
MINUTES	On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council approved the Minutes of December 18, 1979 as written.
INTRODUCTION OF NEW LODI LIFE AND TIMES REPORTER	Mayor Katzakian introduced Julie Campbell, a new reporter for Lodi Life and Times.
PUBLIC HEARINGS	<p>Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katzakian called for the Public Hearing to consider the City Planning Commission's recommendation for the adoption of an Ordinance entitled, "An Ordinance amending the Municipal Code of the City of Lodi by adding a new Chapter 8B relative to community housing project conversions of residential or housing units, and amending section 27-15 of the Municipal Code relating to the requirements of a Use Permit, for conversion to a community housing project or residential or housing units; and for the construction of a community housing project, a condominium, a community apartment project, a stock cooperative or a planned development".</p> <p>The matter was introduced by City Attorney Stein who highlighted the proposed ordinance and responded to questions as were posed by the City Council.</p> <p>The following person addressed the Council on the matter:</p> <p>a) Mr. Frank Woollett, 1112 S. Hutchins Street, Lodi stated that he favored the ordinance and complimented staff on the drafting of the document.</p> <p>Mr. Woollett proposed several suggestions to be incorporated in the ordinance, such as such an ordinance should not displace low income tenants; suggested that a recreation area be provided; provisions be made for relocation expenses. Mr. Woollett also related several</p>

Minutes of January 2, 1980, continued

sections that had been included in a similar ordinance adopted by the City of Walnut Creek.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

CONDOMINIUM
CONVERSION
ORDINANCE

ORD. NO. 1187
INTRODUCTION

A lengthy discussion followed with questions being direct to Staff and to Mr. Woollett.

Councilman Hughes then moved for introduction of Ordinance No. 1187 entitled, "An Ordinance amending the Municipal Code of the City of Lodi by adding a new Chapter 83 relative to community housing project conversions of residential or housing units, and amending section 27-15 of the Municipal Code relating to the requirement of a Use Permit, for conversion to a community housing project or residential or housing units; and for the construction of a community housing project a condominium, a community apartment project, a stock cooperative or a planned development." The motion was seconded by Mayor Pro Tempore Katnich and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, and
Katzakian

Noes: Councilmen - McCarty and Pinkerton

Absent: Councilmen - None

JOHNSON RANCH
REORGANIZATION
AND DETACHMENT

RES. NO. 80-1

Mayor Katzakian asked to abstain from discussion and voting on the following matter because of a possible conflict of interest.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Pro Tempore Katnich called for the Public Hearing to consider the proposed reorganization of Johnson Ranch Addition (LAFC 32-79), including annexation to the City of Lodi and detachment of affected territory from the Woodbridge Rural County Fire Protection District.

The matter was introduced by Community Development Director Schroeder who presented background information on the subject and diagrams of the subject area for Council's perusal. Mr. Schroeder informed the Council that 100% of the property owners of the subject area have indicated their support of the proposed reorganization and detachment. Provisions of the Government Code of the State of California pertaining to majority protest under the District Reorganization Act were detailed by City Attorney Stein.

City Clerk Reimche presented a petition bearing 28 signatures which read as follows:

"We strongly oppose the annexation of the Johnson Ranch into the City of Lodi and also any extension of the city boundaries in the southeast section of Lodi. Being that this is one of the most fertile areas of Lodi, and this area does not come under Phase 1 of the City Master Plan, it would be untimely to incorporate this area into the City."

Minutes of January 2, 1980, continued

It was determined that those persons signing this petition were not property owners of the area proposed for reorganization and detachment.

Speaking in favor of the proposed reorganization and detachment was Mr. Wayne Craig, 23160 N. Davis Road, Lodi.

The following persons who are not property owners of the subject parcel being considered for reorganization and detachment but rather of surrounding parcels spoke in opposition:

- a) Wilbert Ruhl, 3933 Almond Drive, Lodi
- b) Leonard Gibson, 3921 E. Harney Lane, Lodi
- c) Fred Wilson, 4210 E. Almond Drive, Lodi
- d) Joanne M. Thayer, 3953 E. Harney Lane, Lodi
- e) Roberta Neuschaefer, 13669 N. Cherokee Lane, Lodi
- f) Barbara J. Lea, 4266 Almond Drive, Lodi
- g) Richard Neuharth, 3861 E. Almond Drive, Lodi

A lengthy Council discussion followed with question being directed to Staff, and to persons in the audience giving testimony.

Mrs. Janet Pruss, 2421 Diablo Drive, Lodi asked for an explanation as to why the utilities were installed in the subject area before the annexation was approved.

City Manager Graves explained that in 1953 the City adopted the City's General Plan. The General Plan lines at that time included this property. All utility services were planned to fit the General Plan. Subsequent to that, according to City Manager Graves, drainage plans were approved. The utility plan was sized to fit the General Plan of the City.

Mr. Robert Edgar Richards, 13737 N. Cherokee Lane, Lodi addressed the Council stating that people outside the City cannot vote for members of the City Council and yet the Council votes on annexation of property located outside the City limits. Mr. Richards stated that they aren't being represented by the City Council.

There being no further persons wishing to speak on the matter, the public portion of the hearing was closed.

Addition discusison followed.

Councilman Pinkerton asked that the Minutes show that Mr. Wayne Craig, 23160 N. Davis Road, Lodi representing the proponents of the proposed reorganization and detachment stated that the developers of the subject property are proposing it be zoned commercial on the frontage area and the balance R-2 with a density of 5 units per gross acre.

Minutes of January 2, 1980, continued

Following additional discussion, on motion of Councilman Hughes, McCarty second, Council, by following vote, adopted Resolution No. 80-1 determining that pursuant to the Government Code a majority protest was not received and approving the Johnson Ranch Reorganization including annexation to the City of Lodi and detachment of the affected territory from the Woodbridge Rural County Fire Protection District:

Ayes: Councilmen - Hughes, Katnich,
and McCarty

Noes: Councilmen - Pinkerton

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

RECESS

Mayor Katzakian declared a five minute recess, and the Council reconvened at approximately 10:10 p.m.

COMMUNICATIONS

PUBLIC HEARING RE
CONSOLIDATION OF
NORTHERN S. J. CTY.
MOSQUITO ABATEMENT
DISTRICT & S. J.
MOSQUITO ABATEMENT
DISTRICT

City Clerk Reimche apprised the Council of a Notice that had been received from Gerald F. Scott, Executive Officer of the Local Agency Formation Commission that a Public Hearing will be held on January 18, 1980 at 2:00 p.m. in the Chambers of the San Joaquin County Board of Supervisors regarding the proposed consolidation of the Northern San Joaquin County Mosquito Abatement District and the San Joaquin Mosquito Abatement District.

CLAIM

The City Clerk presented a claim which was filed on behalf of Southern Pacific - date of loss - October 22, 1979, advising that the claim had been reviewed by both the City Attorney and the City's Contract Administrator, and it is their recommendation that the Claim be denied.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council rejected the aforementioned Claim and referred same to the City's Contract Administrator, R. L. Kautz and Company.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich, second, were approved by the City Council.

CLAIMS

Claims were approved in the amount of \$976,349.78.

APPROVE AGREEMENTS AARON TERRACE SUBDIVISION

City Manager Graves apprised the Council that the Appian Land Company, Inc., the developer of Aaron Subdivision has furnished the City with the final map and the subdivision improvements plans as well as the necessary agreements, instruments of credit, insurance certificate, development fees and Utility Agreement for the proposed subdivision. The subdivision is located off of Iris Drive and contains 14 lots zoned R-1.

Minutes of January 2, 1980, continued

COUNCIL APPROVED THE FINAL MAP, IMPROVEMENT PLANS AND THE IMPROVEMENT SECURITIES FOR AARON SUBDIVISION AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT AND THE ELECTRICAL UTILITY AGREEMENT ON BEHALF OF THE CITY.

AGREEMENT TO
PURCHASE WELL
SITE # 19
APPROVED

City Manager Graves apprised the Council that Well No. 19 site acquisition and well construction was budgeted in the 1979-80 Capital Improvement Program. The Well 19 site is located on Harney Lane just west of Hutchins Street. The purchase price is \$12,000 and includes all of the normal off-site improvements including, street, curb, gutter, and sidewalk, etc. and also includes a 10-inch watermain fronting the site, a 12-inch watermain with the appropriate valving and fittings entering the site and a 18-inch storm drain into the site for well discharge.

On motion of Councilman Pinkerton, Katnich second Council approved the Purchase and Right of Entry Agreements for the purchase of the site for Well No. 19 and authorized the City Manager and City Clerk to execute the Agreements on behalf of the City.

The City Manager advised the Council that in preparing the plans for the City Hall landscaping project, the City's consultants, Morris-Wenell Associates, were asked to provide alternate bids for improving the City Hall entrance in addition to the required bids for the basic landscaping, sprinklers, mowing curb, and block wall improvements.

Six bids were received on the sprinkler and landscaping project and two bids were received on the concrete work as follows;

CONTRACT 001 - LANDSCAPING & SPRINKLERS

	<u>Base Bid "A"</u> <u>Landscaping and</u> <u>sprinklers</u>	<u>Bid "B"</u> <u>Sod in lieu of</u> <u>seed</u>	<u>Bid "A" + "B"</u>
Binotto-Villasenor Sacramento, CA	\$19,100.00	\$3,075.00	\$22,175.00
J & B Landscaping Lodi, CA	19,250.00	2,325.00	21,575.00
Ken Owen Landscape Lodi, CA	27,950.00	3,175.00	31,125.00
Jonnie Galloway Landscape - Escalon	29,749.00	2,500.00	32,249.00
Talini Landscaping Sacramento, CA	33,331.00	2,420.00	35,751.00
C.S.V. Sprinklers Citrus Heights, CA	34,280.00	465.00	34,745.00

Minutes of January 2, 1980, continued

CONTRACT 002 - CONCRETE, BRICK & WALL WORK

	<u>Bid Item #1</u>	<u>Bid Item #2</u>	<u>Bid Item #3</u>	<u>Bid Item #4</u>
	Mowing strips, brick paving & block wall	Replace side- walk, curb, gut- ter & entrance slab to City Hall	All brick entrance slab	Brick overlay on stairs & new brass handrail
Case Construction Co., Inc. Lodi CA	\$16,432.00	\$17,240.00	\$6,720.00	\$ 9,440.00
Mertz Construction Inc. Lodi CA	17,631.00	19,308.00	6,340.00	10,223.00

AWARD
CITY HALL
LANDSCAPING
RES. NO. 80-2

1-13
CC 300

City Manager Graves stated that it is Staff's recommendation that sod be used in lieu of seeding and that J & B Landscaping of Lodi be awarded the bid for the landscaping and sprinkler contract in the amount of \$21,575.

City Manager Graves further advised the Council that the concrete, brick and wall contract proposal consisted of a base bid and three alternate bids as summarized below:

Bid Item #1 (Base Bid)

This bid includes the construction of required concrete mowing strips, parking lot brick paving and concrete block wall.

Bid Item #2

This work includes removal and replacement of the curb, gutter, sidewalk, and entrance slab to City Hall, including cast iron tree grates for the six existing crepe myrtle trees and providing brick edged paving similar to that in the mall and new parking lot.

Bid Item #3

This work consists of laying brick in a basket-weave pattern in the 14 concrete inlay areas in the entrance slab to City Hall.

Bid Item #4

This item includes providing a brick overlay over the existing stairs and entry up to the front doors of City Hall and includes installation of a new brass handrail.

It was recommended that Case Construction, Inc. of Lodi be awarded the concrete bid covering at least Bid Item No. 1 and No. 2. It was recommended that the basketweave pattern brick work not be done since it is felt that this will take away from the brick stairway if and when it is constructed. The brick stair and entrance overlay and the new handrails can always be done in the future. However, if it is desired, it will never be less expensive than the bid received.

A recap of this recommendation and funding is as follows:

Recap of Recommendation and Funding

Landscaping & Sprinklers (J & B Landscaping)	
TOTAL	\$21,575
Base Bid "A" - Landscaping & Sprinklers	\$19,250
Bid "B" - Sod in lieu of seed	2,325

Minutes of January 2, 1980, continued

Concrete Work (Case Construction)	
	TOTAL \$33,672
Bid Item 1 - Concrete, brick & wall	\$16,432
Bid Item 2 - Replace Entrance to City Hall	17,240

TOTAL AMOUNT	
J & B Landscaping	\$21,575
Case Construction	33,672
	<u>\$55,247</u>

FUNDS AVAILABLE	<u>46,000</u>
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ADDITIONAL FUNDS NEEDED	<u>\$ 9,247</u>
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A lengthy discussion followed with questions being directed to Staff.

Councilman McCarty then moved for adoption of Resolution No. 80-2 approving the award of contracts for the City Hall Landscaping including both the landscaping and sprinklers portion and concrete work in an amount not to exceed \$46,000. Mayor Pro Tempore Katnich seconded the motion. Additional discussion followed with questions being directed to Staff. Mayor Pro Tempore Katnich withdrew his second, and the motion died for lack of a second.

Councilman Hughes then moved for adoption of Resolution No. 80-2 awarding the landscaping and sprinkler portion of the City Hall Landscaping Contract to J & B Landscaping of Lodi in the amount of \$21,575 and the concrete, brick, and block wall portion of the contract to Case Construction in the amount of \$33,672.00. Council further approved a Special Allocation in the amount of \$9,247.00 for this project. The motion was seconded by Councilman Pinkerton and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, Pinkerton, and Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - None

Mayor Pro Tempore Katnich proposed that with the work to be done under these contracts, that serious consideration be given to the removal of the parking meters in front of City Hall. Discussion followed with questions being directed to Staff. Staff is to report back to Council with a proposal regarding the parking in front of City Hall.

INCREASED
MILEAGE
RATE
APPROVED

RES. NO. 80-3

As requested, City Manager Graves presented for Council's perusal information regarding the standard mileage rate allowed by IRS for computing deductions for automobile expenses on income tax returns.

On motion of Councilman Pinkerton, McCarty second, Council adopted Resolution No. 80-3 increasing the City mileage allowance to 20¢ per mile effective this date.

Minutes of January 2, 1980, continued

RES. OF INTENT TO
VACATE/RELOCATE
ALLEY LOCATED
ON WALNUT BETWEEN
CHURCH & PLEASANT
STREETS

RES. NO. 80-4

Council was advised that a letter had been received from Ron Cantrell, Architect, on behalf of the Roman Catholic Bishop of Stockton requesting the abandonment of the easterly portion of the east-west alley behind St. Anne's parochial school on Walnut Street between Church and Pleasant Streets and the movement of the westerly portion of the alley forty feet south. St. Anne's Catholic Church has purchased the property at 216 S. Pleasant and is now planning to expand its playground and parking lot facilities and construct a new gymnasium. It was Staff's recommendation that other possible alternates should be investigated and diagrams depicting these alternates were presented for Council's perusal.

Following discussion, on motion of Mayor Pro Tempore Katnich, Pinkerton second, Council adopted Resolution No. 80-4 - "Resolution of Intention to vacate and/or relocate the east-west alley behind St. Anne's parochial school on Walnut Street between Church and Pleasant Streets", setting the matter for Public Hearing on February 6, 1980, and referring the matter to the Planning Commission.

LEASE RENEWAL - 13
ACRES WEST OF LODI
LAKE

City Manager Graves reminded the Council that when the lease for the 13 acre City owned parcel located west of Lodi Lake Park came up for renewal last year, the City Council was concerned about the rental fee received and the procedure for leasing the subject property. The City Manager related that he had discussed the renewal of the lease with Mr. Mayer, the present tenant, who is willing to lease at present conditions, but has little interest at an increased rental rate. Mr. Mayer readily acknowledged the higher prevailing rates for vineyard leases, but cites special circumstances and problems that make this parcel of marginal value.

Following discussion, with questions being directed to Staff, Council on motion of Councilman Hughes, Pinkerton second, authorized the City Clerk to advertise for proposals for the lease of the aforementioned City owned parcel.

RENEWAL AGREEMENT
WITH ESIS

APPROVED

The City Manager informed the City Council that the City has received a renewal notice for contract administration from ESIS for the City's worker's compensation self insured program. The cost this year is \$624.00 higher than last year plus an excess fee of \$75 for claims over 65. The City has not in its self-insured experience had over 65 claims in any one year. This excess provision is protection for ESIS and should pose no significant additional costs to the City.

On motion of Councilman Pinkerton, Hughes second, Council approved the renewal Agreement with ESIS for Worker's Compensation Administration as outlined by the City Manager and authorized the Mayor and City Clerk to execute the Agreement on behalf of the City.

Mayor Katzakian asked to abstain from discussion and voting on the following item because of a possible Conflict of Interest.

ACCEPT IMPROVEMENTS
BECKMAN RANCH #3

RES. NO. 80-5

The City Manager apprised the Council that the subdivision improvements in Beckman Ranch, Unit No. 3 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Genie Development Inc. dated June 1, 1979 and as specifically set

Minutes of January 2, 1980, continued

forth in the plans and specifications approved by the City Council.

On motion of Councilman Hughes, Pinkerton second, Council, by the following vote, adopted Resolution No. 80-5 accepting the Subdivision Improvements and streets included in Tract Map No. 1535, Beckman Ranch, Unit No. 3:

Ayes: Councilmen - Hughes, Katnich, McCarty and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

INFO RE BENEFITS
PAID TO RETIRED
EMPLOYEES UNDER
CITY'S RETIREMENT
PLAN REQUESTED

Following introduction of the subject by Mayor Pro Tempore Katnich, the City Manager was directed to provide Council with data regarding benefits paid to retired employees under the City's Retirement Plan.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katzakian adjourned the meeting at approximately 10:50 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk